

House Bill 808 (AS PASSED HOUSE AND SENATE)

By: Representative Hatfield of the 177th

A BILL TO BE ENTITLED
AN ACT

To amend an Act creating the Satilla Regional Water and Sewer Authority, previously known as the Ware County Water and Sewer Authority, approved October 1, 2001 (Ga. L. 2001, Ex. Sess., p. 705), as amended, particularly by an Act approved May 30, 2003 (Ga. L. 2003, p. 3689), by an Act approved May 5, 2006 (Ga. L. 2006, p. 4216), by an Act approved May 30, 2007 (Ga. L. 2007, p. 4367), and by an Act approved May 13, 2008 (Ga. L. 2008, p. 4278), so as to revise the manner of selection of the members of the authority; to revise the manner of tabulating the votes for members of the authority; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act creating the Satilla Regional Water and Sewer Authority, previously known as the Ware County Water and Sewer Authority, approved October 1, 2001 (Ga. L. 2001, Ex. Sess., p. 705), as amended, particularly by an Act approved May 30, 2003 (Ga. L. 2003, p. 3689), by an Act approved May 5, 2006 (Ga. L. 2006, p. 4216), by an Act approved May 30, 2007 (Ga. L. 2007, p. 4367), and by an Act approved May 13, 2008 (Ga. L. 2008, p. 4278), is amended by revising subsection (d) of Section 2 as follows:

"(d) For purposes of electing members of the authority, each person, firm, corporation, or other entity having an account with, and receiving services from, the authority shall be entitled to cast one vote for each such account maintained with the authority in accordance with the following procedures, provided that each person, firm, corporation, or other entity shall be limited to a maximum of five votes:

(1) Prior to each election for the position of a member of the authority, the authority shall establish a period of time for the submission of nominations of candidates. Each sitting member of the authority shall be entitled to nominate one candidate. Additionally, any account holder shall be entitled to submit one petition for nomination of a candidate, provided that such petition, to be valid, shall be accompanied by the signatures of at least

50 other account holders. Following the close of the nominations period, the authority shall designate for inclusion on the election ballot the name of each candidate nominated by a sitting authority member, as well as the name of each candidate for which a valid petition for nomination was submitted;

(2) In addition to the names of the candidates, the election ballot shall contain spaces for the full name, account number, and handwritten signature of the account holder. The election ballot shall be submitted by the authority to each account holder by mailing such ballot, with the account holder's monthly authority bill, to each account holder at such account holder's billing address on file with the authority. After voting for one candidate and providing the account holder's full name, account number, and handwritten signature, the account holder shall seal the ballot in an envelope addressed to the secretary of the authority and shall mail or hand deliver such ballot to the secretary of the authority at such address as may be designated by said secretary. No ballot shall be counted which is not actually received by or on behalf of the secretary at the address designated by the secretary on or before the due date of the account holder's bill. No account holder shall submit his or her monthly authority bill payment in the envelope containing the completed ballot which is submitted to the secretary. The secretary and chairperson of the authority, or, if the chairperson is a candidate in such election, the secretary and another member of the authority who is not a candidate in such election selected by the secretary, shall tabulate the election ballots; provided, however, that no ballot shall be counted which, in the judgment of the secretary and chairperson or other authority member counting the ballots, has been fraudulently prepared or fraudulently submitted or which otherwise fails to comply with the procedural requirements set forth in this subsection; and

(3) The candidate receiving the greatest number of votes shall be elected as a member of the authority, provided that such candidate must also receive a majority of the votes cast. In the event that no candidate receives a majority of the votes cast, then the names of the candidates having the two greatest numbers of votes shall be submitted to the consumers of the authority on a runoff ballot in accordance with paragraph (2) of this subsection. Thereafter, the candidate receiving a majority of the votes cast in such runoff shall be elected as a member of the authority."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.